

## **INTERAGENCY CONSULTATION GROUP (ICG)**

**Wednesday, December 3, 2008**  
**Baltimore Metropolitan Council**  
**8:30 A.M.**

### **ATTENDANCE:**

#### **Members**

Regina Aris, Baltimore Metropolitan Council (BMC)  
Charles Baber, BMC  
Harvey Gold, Baltimore Regional Transportation Board (BRTB)  
Emery Hines, BRTB  
Brian Hug, Maryland Department of the Environment (MDE)  
Martin Kotsch, U.S. Environmental Protection Agency (EPA) Region 3  
Howard Simons, Maryland Department of Transportation (MDOT)  
Sara Tomlinson, BMC  
Jim Wilkinson, MDE

#### **Public**

Brian Lang, URS  
Vaughn Lewis, Maryland State Highway Administration (SHA)  
Jody McCullough, BMC

### **WELCOME & INTRODUCTIONS:**

Ms. Regina Aris (BMC) called the meeting to order at 8:40 A.M. Members and guests introduced themselves.

### **APPROVAL OF SEPTEMBER 3<sup>RD</sup> ICG MEETING MINUTES:**

Ms. Aris asked for a motion to approve the minutes of the September 3<sup>rd</sup> ICG meeting. Mr. Brian Hug moved for approval with Mr. Howard Simons seconding the motion. The motion was approved.

### **REPORT ON RECENT MEETINGS:**

#### **Technical Committee**

Ms. Aris (BMC) reported on the October 6 and November 3, 2008 meetings of the Technical Committee. Highlights of the meetings follow:

- Between October and November the TC approved the following resolutions:
  - Resolution #09-7 for the Purpose and Need Statement for I-795 at Dolfield Boulevard.
  - Resolution #09-8 for changes to the Bicycle & Pedestrian Advisory Group bylaws.
  - Resolution #09-9 for an Amendment to the FY 2008-2012 TIP for four bridge projects.
  - Resolution #09-10 for an Amendment to the FY 2009 UPWP.
- The cycle to update the annual work program has begun.
- Status of the transit amendment process to *Transportation Outlook 2035*.

### **Baltimore Regional Transportation Board**

Ms. Aris reported on the October 28 and November 25, 2008 meetings of the Baltimore Regional Transportation Board. Highlights of the meetings follow:

- The Committee approved the following resolutions:
  - Resolution #09-7 for the Purpose and Need Statement of I-795 at Dolfield Boulevard.
  - Resolution #09-8 for changes to the Bicycle & Pedestrian Advisory Group bylaws.
  - Resolution #09-9 for an Amendment to the FY 2008-2012 TIP for four bridge projects.
  - Resolution #09-10 for an Amendment to the FY 2009 UPWP.
- There was an update on the *Transportation Outlook 2035* Plan Amendment process.
- The cycle to update the annual work program has begun.
- There was a discussion of resolutions proposed by the Citizen's Advisory Committee.
- The BRTB and Technical Committee will hold a joint retreat on January 14, 2009 at the Benjamin Banneker Museum.

### **CONFORMITY OF FY 2010-2013 TIP AND TRANSPORTATION OUTLOOK 2035:**

Ms. Sara Tomlinson distributed the draft schedule for the conformity determination of the FY 2010-2013 TIP and *Transportation Outlook 2035*. The draft schedule is based on a tentative TIP and conformity BRTB approval date of July 28, 2009. Four ICG meetings are planned for the first half of 2009, in February, April, May, and July. An ICG Working Group conference call or meeting is suggested for the second week of January 2009 in order to discuss modeling methodology and inputs for conformity. ICG will be asked to review and approve the draft conformity results at their May 6, 2009 meeting. Mr. Martin Kotsch (EPA) will not be able to attend the May 6<sup>th</sup> meeting.

Ms. Aris noted that the FY 2009-2012 TIP will not move forward. However, she thanked the ICG for their effort in working together on the conformity determination.

***[Handout – DRAFT Schedule for Conformity of FY 2010-2013 TIP]***

### **UPDATE FROM AIR QUALITY PRACTITIONER'S MEETING:**

Mr. Howard Simons gave an overview of the AASHTO Air Quality Practitioner's Meeting the week of November 17<sup>th</sup> in Albany, New York. Seventy-seven people from forty-one states were in attendance. Most attendees were from state departments of transportation. Topics discussed included climate change, CMAQ, and emissions modeling.

Mr. Charles Baber (BMC) also attended the meeting and added that 35 states have climate or energy plans. He learned that the release date for EPA's draft MOVES emissions model is planned for January 2009.

**REVIEW OF MD 3 IMPROVEMENT:**

This agenda item moved ahead due to time constraints of the presenters. Ms. Aris asked that ICG look at the project proposal to evaluate whether or not a conformity determination is required. Mr. Vaughn Lewis (SHA) described the project on MD 3 from MD 424 to North of Waugh Chapel Road. This project will mitigate traffic impacts resulting from a 600,000 SF +/- mixed use commercial development project along MD 3 in Anne Arundel County. It will be funded 100 percent by the developer. The improvements involved in the project can be viewed as interim improvements leading to the ultimate SHA planning study for the MD 3 project included in *Transportation Outlook 2035* and its conformity determination.

The project consultant, Mr. Brian Lang (URS) described the details of the project, referring to plans displayed on the wall. It involves three intersection improvements and an additional through-lane near the MD 424 intersection. The MD 3 project in *Transportation Outlook 2035* is three lanes in each direction by 2030, for the full length of the project. The section of MD 3 under review today is within the limits of the long range plan project, and this portion of the roadway is already three lanes in each direction.

Mr. Harvey Gold, the BRTB empowered representative from Anne Arundel County, mentioned that the county's objective is to see what infrastructure improvements would mitigate the planned development in order to maintain the functionality of the road facility. Mr. Emery Hines (BRTB) asked whether the planned development is included in the regional socio-economic forecast. Ms. Aris responded that it is included.

Mr. Hug stated that MDE does not think a conformity analysis is triggered; they just want to make sure the development is reflected in the socio-economic forecast used in the most recent conformity analysis. Mr. Kotsch agreed that the MD 3 improvement discussed at this meeting is exempt from conformity determination. Ms. Aris thanked the SHA and Anne Arundel County representatives for presenting the project to ICG.

Mr. Hug motioned that the project be considered as exempt with the caveat that the development be reflected in the next conformity determination input. Mr. Simons seconded the motion. The motion was approved unanimously.

**EPA LEAD STANDARD:**

In October 2008, EPA strengthened the federal air quality standard for lead. Mr. Hug, MDE provided the ICG information on the revised lead standard. The standard was strengthened from 1.5 to 0.15 micrograms per cubic meter. Sources of lead have historically been from industry and transportation; however, when lead was removed from gasoline, levels of lead emissions from the transportation sector decreased significantly.

The most immediate impact of the lowered standard will be the need to install lead monitors throughout Maryland. Sources that produce more than one ton of lead per year will need to have lead monitors. MDE will be required to designate nonattainment/attainment status for the standard. One example of a point source of lead is an incinerator. Mr. Kotsch, EPA, stated that there is no requirement to address lead in transportation conformity.

**TRANSPORTATION OUTLOOK 2035 AMENDMENT:**

Ms. Jody McCullough, BMC, provided information to the ICG regarding planning for an amendment to *Transportation Outlook 2035*. The focus of the amendment is to enhance transit in the Baltimore region. The Maryland General Assembly passed a revenue enhancement in 2008 resulting in \$340 million in new revenue beginning in 2012, over the life of the plan. Due to the changing economy and deferral of some transportation funding in the State, plan amendment scenarios at a level of approximately \$225 million worth of projects were developed. These 2 funding levels with several scenarios will be considered by the BRTB.

Ms. McCullough described a mix of projects to be considered in the amendment, including: the Green Line, park-and-ride spaces, Carroll County transit vehicles and amenities, intermodal facilities, MARC stations, an automatic vehicle location system, dedicated bus lanes, 511 service, and security equipment. Handouts on the amendment background, amendment scenario options, and draft conformity status were distributed. She mentioned that the goal is to go out to the public with the draft amendment on December 16. Ms. Aris asked for feedback. There was some discussion of the amendment component regarding Carroll County Transit. This would include expansion of bus service.

Staff requested that ICG comment on whether the possible amendment projects are categorized correctly in terms of conformity exemption status on the handout provided. Mr. Simons asked why the "MARC Stations" item is classified as "non-exempt." It was stated that this component could include new stations or additional parking spaces. Mr. Simons said that because a regional emissions analysis will already be run, that amendment projects that make sense to be added to the model, should be added to it. It was mentioned that BMC staff will be able to model the Carroll Transit bus routes, if this is part of the amendment.

***[Handout – Transportation Outlook 2035: Background, Impact of Changing Economy, and Scenarios; DRAFT 2008 Update: Public Involvement Process and Timeline for Transportation Outlook 2035; Potential Plan Amendment Scenarios; DRAFT Conformity Status of Potential Plan Amendment Scenario Components]***

**REVIEW OF THE BOSTON/ O'DONNELL STREET CONNECTOR:**

Ms. Aris stated that Baltimore City is reinitiating project planning for the Boston Street project. The Boston Street project in the conforming long range plan includes a viaduct on Boston Street. The proposed project involves a new north/south connection of Boston Street to O'Donnell Street adjacent to Haven Street as well as the extension of Easton Street from Boston Street to O'Donnell Street along the abandoned railroad right-of-way. This project represents the locally-preferred alternative from the Boston Street Viaduct Environmental Assessment.

Mr. Hug stated that the scope is different from what is in the long range plan; therefore, a conformity determination is required. Ms. Aris stated that if a TIP amendment is required, the amendment will need to go out for a 30-day public review. Mr. Simons motioned that the Boston Street/O'Donnell Street Connector project is not consistent with the Boston Street project currently in the model. Mr. Hug seconded the motion, which was approved unanimously. ICG agreed that a conformity determination on this TIP amendment will be required.

***[Handout – DRAFT TIP Sheet for the Boston/O’Donnell Street Connector Project]***

**DISCUSSION ON CLIMATE CHANGE ACTIVITIES FOR FY 2010 UPWP:**

Mr. Hug stated that there has not been feedback from the Governor’s office or the Maryland General Assembly yet on the Climate Action Plan. Right now, there is no prioritization of mitigation measures. MDE supports the inclusion of climate change planning in the next UPWP; however, they can not provide any priorities of what should be supported.

MDOT is looking at implementation of transportation and land use (TLU) options and they believe that the MPO will be an integral participant. Mr. Simons cannot say the level of involvement that MPO’s will have. In the Climate Change Committee, Secretary Porcari has suggested that MPO’s be involved in the appropriate areas.

Ms. Aris stated that the BRTB has not charged staff with climate change planning.

**OTHER BUSINESS:**

**A. 2006 24-hour PM2.5 Standard Designation:**

Ms. Tomlinson stated that in August 2008, EPA sent letters in response to recommendations from the states outlining the areas it is considering designating as “attainment” or “nonattainment” for the 24-hour fine particle standards. In Maryland, the state and EPA-recommended nonattainment counties matched, and consist of the Baltimore metropolitan region.

Mr. Hug stated that EPA will propose that Prince George’s and Montgomery Counties be added to the Baltimore nonattainment area for the 2006 24-hour PM2.5 standard. The State will have a 60-day timeframe to respond to EPA.

**B. Baltimore Nonattainment Area 8-hour Ozone SIP:**

Mr. Hug stated that a disapproval of the 8-hour ozone SIP for the Baltimore nonattainment area is being proposed by EPA unless MDE accepts a bump-up in nonattainment status from “moderate” to “serious.” If a bump-up occurs, the attainment date for the region to achieve the standard would be 2012, rather than 2010. Maryland does not want to take the voluntary bump-up in status. It is possible that a conformity freeze may be ahead. The State could ask that the Reasonable Further Progress (RFP) SIP and the Attainment SIP be separated so that the RFP SIP could be approved even if the Attainment SIP is not approved. If this occurs, conformity could be tested against the RFP budgets.

Mr. Kotsch stated that the 1-hour ozone budgets will still be in place, and the BRTB can still perform conformity like they have been for the next conformity determination in summer 2009.

**C. Member Reports:**

Ms. Tomlinson mentioned that she attended the Maryland Climate Protection Network meeting in Annapolis on December 1. The purpose of the meeting, which was set up by the International Council for Local Environmental Initiatives (ICLEI) and hosted by the City of Annapolis, was for ICLEI local government members to have a forum to share planning efforts and activities related to climate change and sustainability. Around thirty people were

in attendance, including Mayor Moyer of Annapolis. Brian Hug gave a presentation on the Maryland Climate Action Plan.

Ms. Aris asked if any of the members had any other business to discuss; hearing none, she asked for the meeting to adjourn. The meeting concluded at 11:00 A.M. The next meeting is scheduled for February 4, 2009.